

### **REMARKS**

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1 and 3-8 are pending. Claim 2 is canceled without prejudice to or disclaimer of the subject matter set forth therein. Claims 1 and 3 are amended, and claims 7 and 8 are added. Claims 1, 4 and 5 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

### **Allowable Subject Matter**

The Examiner states that claims 2-6 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims;

The Applicants appreciate the Examiner's early indication of allowable subject matter. As indicated below,

independent claim 1 is amended to include the allowable subject matter of objected-to claim 2;

claim 4 is rewritten in independent form; and

claim 5 is rewritten in independent form.

Therefore, independent claims 1, 4, and 5 are in condition for allowance.

### **Claim for Priority**

The Examiner has acknowledged the Applicants' claim for foreign priority based on International Patent Application No. PCT/JP02/05709.

**Acknowledgement of Information Disclosure Statement**

It is gratefully acknowledged that the Examiner has acknowledged the Information Disclosure Statement filed on December 5, 2003.

**Rejection Under 35 U.S.C. §103(a)**

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over alleged AAPA, and Korte et al. (U.S. 6,371,126). This rejection is respectfully traversed.

As indicated above,

independent claim 1 is amended to include the allowable subject matter of objected-to claim 2;

claim 4 is rewritten in independent form; and

claim 5 is rewritten in independent form.

Therefore, independent claims 1, 4, and 5 are in condition for allowance.

The Examiner will note that dependent claim 3 is amended, and dependent claims 7 and 8 are added to set forth additional novel features of the invention.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

**CONCLUSION**


Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,  
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
James M. Slattery, #28,380  
for P. O. Box 747 #43,368  
Falls Church, VA 22040-0747  
(703) 205-8000

JMS:CTT/ags/te